

3. PROJECT DETAILS

a. Temporary Easement

An unsigned template for a Temporary easement for access to the facility by the Oklahoma Department of Environmental Quality as required in OAC 252:515-3-34 is included in **Attachment G**. This easement will be signed and filed with the DEQ within 30 days after permit issuance.

b. Planned Life of the Facility

There are no limits on the life of this facility since the lease is open-ended with no expiration dates. Since waste disposal will not occur at the site, there will not be an accumulation of waste material resulting in a predictable end-of-life and startup of closure.

c. Road Construction

The primary entrance road and facility areas away from the Process Building will be graveled with added asphalt millings to reduce dust from mobile traffic. The secondary entrance will be paved with concrete. Process area roadways and parking areas will be constructed of concrete to assure roads are passable in inclement weather, and to reduce dust from vehicular traffic. See the Site Map in **Attachment H**.

d. Heavy Equipment Use

Construction: The site construction will be accomplished using typical construction equipment – e.g., backhoes, dump trucks, graders, track hoes, etc.

Operation: Heavy equipment to be used during operation include backhoes, skid steers, track hoes, dump trucks, fork lifts, tractor trailers, and shredders.

e. Site Construction

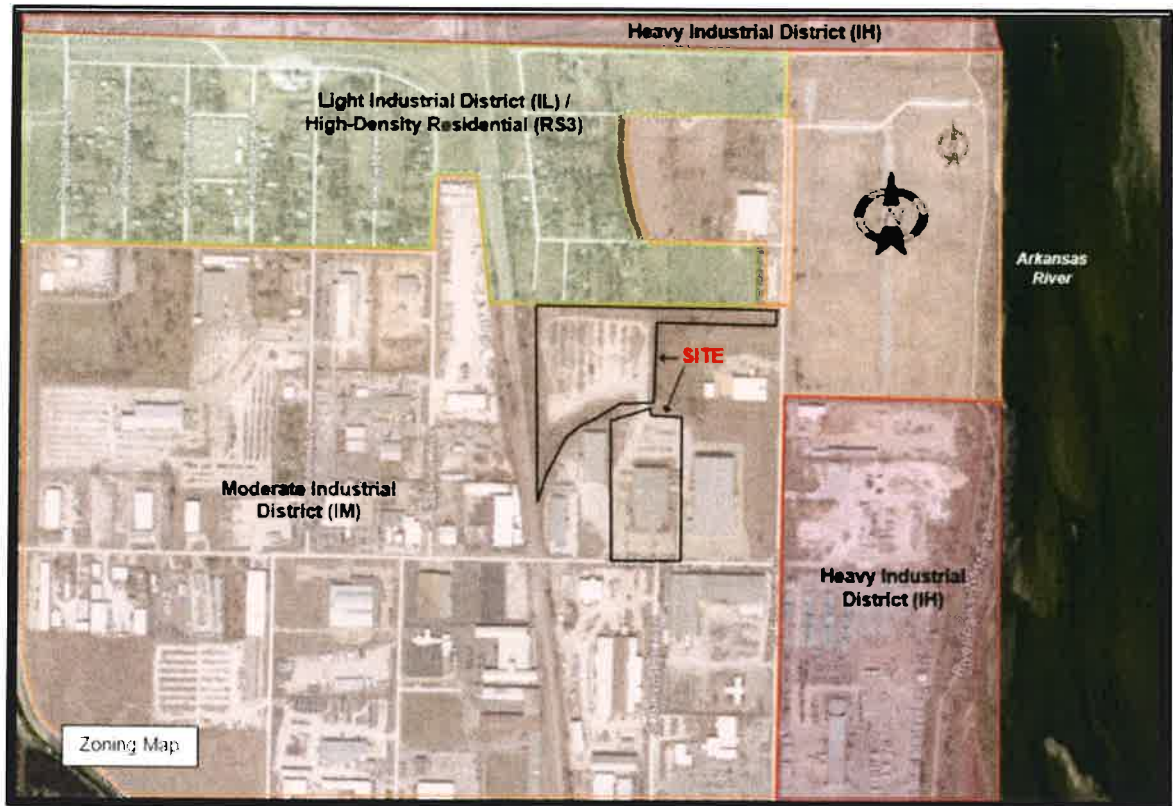
The construction of the site includes the following areas and/or activities:

- Concrete/Asphalt drive, parking, and Processing areas outdoors
- Concrete interior Processing areas of the building
- Basin and vault construction
- Finish interior of the building for offices, laboratory, and Processing areas
- Berms around basins and beneath outdoor and indoor shredder
- Loading docks
- Scale
- Gates and Fencing
- Lighting and Emergency notification system
- Stormwater detention ponds
- Solidification basins wastewater treatment vault
- Chemical storage areas

Design drawings for all operation areas will be developed after issuance of the solid waste permit. All final design drawings will be submitted to the City of Tulsa for site development processes. In addition, details related to the wastewater treatment wastewater sources and processing information will be provided in the application for pre-treatment discharges to the City of Tulsa POTW.

f. Zoning

The proposed facility would be located in area zoned IM (Industrial–Moderate) as shown on the map below. IM zoning is used for “a wide range of industrial uses that may produce some moderate adverse land use or environmental impacts in terms of their operation and appearance.” The proposed activities at the facility will meet the criteria for an IM area.



g. Public Access

The facility will not grant access to the general public due to potential health and safety concerns from site activities, and to discourage unauthorized waste dumping of waste.

The facility will have a sign posted at each entrance gate containing the following:

- The name of the facility
- The type of operation
- The facility's solid waste permit number
- The phone number to for the person to be contacted in the event of an emergency
- Notification that unauthorized persons are no allowed to enter.

The entire operation will have a security fence and will be monitored at all times with a security camera system. All gates will be locked when the facility is closed.

h. Salvage Operations

No salvage operations are to be performed at the facility.

i. Closure Plan

MET will close the facility in a manner which eliminates the need for further maintenance and controls, i.e., the facility will undergo clean closure with no post-closure monitoring or recordkeeping.

Facility closure will be initiated with the following elements:

- All clients will be notified that wastes streams managed at the facility will need to be re-routed to an alternate disposal site beginning 30 days after receipt of the notification. MET will assist clients as needed to locate alternative disposal options.
- All vendors, local agencies and the DEQ Land Protection Division will be notified of the facility closure at the same time as clients are notified to help ensure that a coordinated and properly executed closure process will occur.
- Facility closure will be initiated within 90 days after accepting the last shipment of waste.
- Facility closure will be completed within 180 days after closure is initiated, unless an extension is requested and approved by the DEQ Land Protection Division.
- Within 30 days of completion of all closure activities, a notarized statement of completion of all closure activities will be signed by an authorized representative of MET, which also includes a certification that is signed and sealed by an independent Professional Engineer that the site was closed in accordance with the approved closure plan, the facility permit and all applicable rules. The certification will include the facility contact name, address, and telephone number during the post-closure period.

Facility closure will include the following activities:

- All Processed solids will be transported to appropriate disposal facilities. Wastewater will be treated and discharged in accordance with the Industrial Wastewater Pretreatment Permit. Oil on site will be shipped to a fuel blender for further treatment.

- All treatment tanks and solidification pits, associated piping and pumps will be cleaned with a pressure washer to remove all residue prior to dismantling.
- Unloading areas, and floors will be power washed with all rinsate collected for disposal.
- All waste materials on-site will be properly packaged and transported to an approved disposal site.
- All chemical holding tanks will be sold for use or scrapped.
- All laboratory equipment and chemicals will be properly packaged and transported to an approved disposal site.
- Upon completion of closure, a Certification of Final Closure report will be submitted to the DEQ. Closure will be complete only after receipt of an approval is received from the DEQ.
- All facility waste and processing records, and agency documents for a minimum period of the last five years of operation will be boxed and stored in a weather-proofed and climate-controlled location following completion of closure for a period of at least five years.

j. Closure Cost Estimates

Site closure costs will be based on the maximum quantity of waste present in each waste holding tank/system at any time during the life of the facility. Facility records will be used to identify those waste amounts. Costs for disposal of each type of waste will then be based on the disposal costs plus the handling and transportation costs needed to complete disposal.

Since no wastes are present within the facility, initial site closure costs are based on the following projected activities will result in the following cost areas and projected costs:

1. Identification of all waste materials to be removed - \$2,500
2. Obtain costs for transportation and disposal of removed waste materials - \$1,800
3. Removal, transportation and disposal costs for removed waste materials - \$20,000
4. Identification of all process areas that require decontamination - \$1,200
5. Decontamination of process areas – \$2,500
6. Identification of facility modifications needed to remove process and business equipment - \$3,200

7. Removal, transportation and final disposition of process and business equipment - \$3,000
8. Project management of all closure activities - \$4,000
9. Post-closure cost: \$0.00

Total estimated closure costs: \$36,000

Annual closure cost updates: Each year on the anniversary of facility permit issuance date, the site closure plan and associated costs will be adjusted as needed. Those costs will be based as described above based on maximum quantities contained in the processing system. A copy of all annual closure cost estimates will be maintained for the life of the facility.

k. Financial Assurance

Financial assurance for meeting estimated closure costs will be in the form of an irrevocable standby letter of credit. The letter of credit will be submitted to DEQ for approval within 60 days after the solid waste permit for operating the proposed facility has been issued.

l. Post-Closure Plan

Closure activities will remove all waste from the facility and site. Upon receipt of final closure approval from the DEQ, there will be no waste in the form of residuals or stored materials remaining at the site. Therefore, the site will be clean and clear for another user to occupy the site. Therefore, a post closure followup will not be required upon final approval of the closure process.

m. Aesthetic Enhancement

The facility plans to construct an operational building that will be attractive and allow for visual harmony with the surrounding industrial area. The facility will be installing six-foot chain link fencing with three strands of security wire across the top along all property boundaries. We anticipate that the process of obtaining City of Tulsa property development approval will require installation of an additional sound and visual barrier (e.g., 8-foot wood fence) along the northern property line. All roads will be concrete-paved or graveled with added asphalt millings to reduce dust from transport and operations that occur outside the process building.

4. FACILITY OPERATIONS

The MPF will receive and process non-hazardous waste and materials for recycling or disposal. No hazardous waste will be processed at this facility. A material processing flow diagram is included in **Attachment M**.

a. Stormwater Management

Construction: Prior to beginning facility construction, coverage under the State's General Permit for Construction Stormwater will be obtained from DEQ (OKR10).

Operating: During facility operations, all process operations will be performed within the building. Stored materials will be located upon concrete with containment of stormwater from those areas. The facility will obtain coverage under and operate in compliance with DEQ Water Quality Division's Multi-Sector General Permit (OKR05) for Stormwater Discharges from Industrial Facilities. The Notice of Intent for coverage under the MSGP will be submitted to the DEQ within a few days after a Stormwater Pollution Prevention Plan (SWPPP) is developed following facility operational startup.

Stormwater will be prevented from running onto the processing building through the use of grading and curbing as needed. Stormwater from upgradient locations will be channeled around the processing area through grading and curbing.

Stormwater generated on-site will be routed to either of two drainage ditches located along the southern and northern perimeters of the site. A sluice gate will be installed at the furthest downgradient point (property line) which will serve as designated stormwater outfalls for purposes of stormwater monitoring and allow for retention of any spills that might occur during processing when the gates are manually closed. Stormwater from the facility will eventually enter into the City of Tulsa MS4 system and be released into the Arkansas River.

b. Process Building

Material processing will be conducted within the facility Process Building on impermeable surfaces that are free of cracks and capable of containing all wastewater liquids managed during processing. These areas are chemically resistant to the waste types that will be managed at the facility.

c. Centralized Wastewater Pretreatment and Wastewater Evaporation

Centralized Wastewater Pretreatment

Wastewater that falls within either the Oils Subcategory (40 CFR 437 Subpart B) or the Organics Subcategory (40 CFR 437 Subpart C) under the U.S. EPA Centralized Wastewater Treatment Standard will be accepted for processing. Those off-loaded liquid streams will be treated through the Centralized Wastewater Treatment System. This entire treatment system is confined inside the building and located within a containment area.

Wastewater to be received for processing must first be approved through the Waste Certification Process, the waste profiling system. Specifically, the waste generator must verify the wastewater has no hazardous characteristic or is exempt from RCRA hazardous waste rules. Upon arrival at the facility, it will only be accepted if a visual comparison of the waste matches the information provided by the Generator and a sample of the wastewater analyzed for pH and flashpoint. If the wastewater exhibits a hazardous waste characteristic it will be rejected. If the material does not match the Waste Profile, the material will not be accepted unless resolved with the Waste Generator that the material is not a hazardous waste and that the proper Waste Profile has been completed and submitted to MPF for review and approval.

Wastewater will be delivered to the site by in containers and sampled and analyzed in the on-site laboratory to verify acceptability and determine treatability. If the wastewater is found to be unacceptable or untreatable, the load will be rejected, unless resolved with the Waste Generator.

Acceptable wastewater will be off loaded into a screening chamber box where debris and thick sludge will be removed by settling and filtration. Those removed solids/sludge will be routed to the settling/solidification

basins. The wastewater is then transferred to a treatment tanks, where it will be treated for oil removal followed by a precipitation and settling chamber using pH adjustment (as needed) and addition of polymers to facilitate chemical coagulation and precipitation of entrained solids. Following treatment, the wastewater will be analyzed by the laboratory to assure it meets the discharge criteria for release to the Tulsa Publicly Operated Treatment Works (POTW). If the wastewater does not meet the discharge criteria it will be sent back through the treatment process until the discharge criteria has been met or will be sent to Solidification.

Settled solids from the treatment Process will be transferred and accumulated in a sludge thickener tank to await further treatment with a filter-press/rotovac for further reducing the water content. Sludge cake material produced is directed to the solidification basins, with final disposal at a landfill or transfer to an EfW facility. Water removed from the pressed sludge is returned to the wastewater treatment system. Oil removed through wastewater pretreatment is directed to the oil holding tanks to await off-site transfer.

Chemicals utilized in the centralized wastewater treatment system include sulfuric acid, sodium hydroxide, alum, ferric chloride, lime and polymers. All chemicals will be stored in appropriate tanks, inside the building and within containment. The tanks will be properly labeled, and a chemical inventory will be maintained.

Wastewater Evaporation

An additional treatment option for NHIW wastewaters will be evaporation. The facility will utilize a commercial evaporator to process wastewaters. We deem this as an effective form of volume reduction and recycling as water is vaporized and returned to the atmosphere. Section C.8 of the facility permit states that there is an Air Criteria and that the MPF does not violate any applicable requirements of the Oklahoma Clean Air Act. The facility has already made the applicability determination, using a third party environmental consulting company, that the evaporator doesn't not meet the requirements for permitting.

Inbound NHIW wastewaters will be received as described above and placed into storage tanks already in use and described in this permit. The current model of evaporator we will employ processes water at the rate of 400 gallons per hour (gph) which amounts to a volume of 9,600 gallons per day

(gpd). The volume reduction will be in the range of 95-98%. Blowdown residues from the evaporator will be collected and managed as site generated waste, as required by Section E.10 of the permit, and will be tested to confirm that the resulting residues are not hazardous wastes. If any of the residues were to test as hazardous, the facility will manage these waste residues in accordance with the RCRA hazardous waste regulations.

d. Oil Recovery

Oil wastewaters will be treated for oil recovery in the facility's wastewater treatment system. The oil/water mixture is separated in the wastewater treatment system and further processed to meet the specification of a used oil recycling facility.

Removed/separated oil will be directed to oil storage tanks where additional chemical and physical processing will further remove any additional water present. Removed water is directed back to the wastewater treatment system. Recovered oil will be trucked to an off-site for beneficial reuse, typically a fuel blending operation, but sometimes for energy recovery.

e. Shredding Operation

The shredding operation de-packages larger containers such as 55-gallon drums and 330-gallon totes in a commercial shredder operation located inside the Process Building. Shredded materials will be directed primarily to the Waste-to-Energy product stream, otherwise sent for landfill disposal when not able to meet the EfW acceptance criteria.

Materials that will be delivered for shredder processing after first being approved through the Waste Certification Process. Specifically, the waste generator must verify the product to be removed has no hazardous characteristic or is exempt from RCRA hazardous waste rules. Upon arrival at the facility, it will only be accepted if a visual comparison of the waste indicates it matches the information provided by the generator. If a product does not match the information provided on the Waste Certification it will not be accepted for shredding, and the load will be rejected.

f. Solidification

Solidification is the mixing of non-hazardous wastes that contain free liquids with an absorbent material, e.g., sawdust, to eliminate the liquids. The Process is performed in any of three open top concrete “pits” with the use of an excavator for mixing. The concrete pits (3) will be constructed with two additional liner systems to prevent any losses outside the containment system, including a synthetic liner and a leak-proof steel container (See **Attachment N**). Solidified wastes will be loaded into a waste hauler truck for delivery to either a landfill or an EfW facility. The solidification process will occur within the Process Building.

Wastewater and sludges delivered to MPF for solidification must first be approved through the Waste Certification Process. Specifically, the waste generator must verify the waste has no hazardous characteristic or is exempt from RCRA hazardous waste rules. Upon arrival at the facility, it will only be accepted if a visual comparison of the waste matches the information provided by the generator. A sample of each product delivered will be evaluated either visually for solids, or for pH and flashpoint for liquids. If it exhibits a hazardous waste characteristic it will be rejected. If it doesn't meet the Waste Certification, further inquiry and/or information will be obtained from the waste generator and waste determined if it is acceptable. Upon verification of acceptance, the shipments are offloaded into either the shredder staging area or into the solidification pits. Absorbent material is then added to the solidification pits and mixed with an excavator. When free liquid is no longer present, the contents of the solidification pits are loaded into a dump (or similar) trailer and transported for either waste-to-energy or landfill facilities.

g. Energy from Waste (EfW) Blending

The EfW Process is the bulking or blending of waste to meet criteria to be used as a fuel at an offsite facility. The offsite facility uses the mixed waste as fuel to generate power.

Materials that will be delivered for EfW blending must first be approved through the Waste Certification Process. Specifically, the waste generator must verify that the product has no hazardous characteristic or is exempt from RCRA hazardous waste rules. Upon arrival at the facility, it will only be accepted if a visual comparison of the waste indicates it matches the

information provided by the generator. A sample of each product delivered will be evaluated either visually for solids, or for pH and flashpoint for liquids. If a product exhibits a hazardous waste characteristic or does not match the information provided on the Waste Certification it will not be accepted for EfW blending, and the load will be rejected.

Non-liquid materials are delivered in bulk and non-bulk containers. Acceptable materials are placed in the EfW area where it is removed from the original container and combined with other EfW materials in a large solidification pit. The mixed non-hazardous EfW materials are then loaded into dump (or similar) transport trailer and transported off-site to an energy recovery or waste-to-energy facility.

h. On-site Laboratory

A fully equipped chemistry laboratory will be located on site for internal use only, i.e., laboratory services will not be provided to clients or others.

i. Industrial Services

Industrial Service equipment will be housed at this location; however, these Services will be performed at client sites. This includes, high-vacuum trucks, sludge and roll-off boxes, industrial pressure-washers, confined space equipment and other specialty equipment.

j. Transportation Services

Transportation Services will be housed at this location. It will include straight-trucks, semi tractors, van trailers, tanker trailers, roll-off and sludge box trailers.

k. Waste Staging

All tanker truck liquid waste unloading, staging and processing will occur within the building or under a roof. Facility overhead doors will be closed when not in use. All liquid storage will be either inside or outside the process building in steel storage tanks. All tanks and process units will be constructed with a secondary containment system.

Incoming liquids containing oily wastewater will undergo initial screening during off-loading through an "auger" box. The auger box allows for removal

of solids that potentially damage downstream handling equipment, such as pumps.

The auger box will gravity-drain liquids into an adjacent below-grade separator which is located within a secondary concrete containment system. Separated oils and wastewater are pumped from the separator into an appropriate holding tanks to await further processing in the centralized wastewater treatment system.

The centralized wastewater treatment system anticipates using the following types of storage tanks:

- Oily Water – 4 - 6,000-gal, cone-bottom polyethylene tanks
- Chemical storage – 2 - 6,000-gal, cone-bottom polyethylene tanks
- Water Treatment – 8 - 6,000-gal, cone-bottom polyethylene tanks
- Effluent Holding – 3 - 10,000-gal, flat-bottom steel tanks
- Sludge Holding – 2 - 6,000-gal, cone-bottom polyethylene tanks

The solidification system will include the following units:

- Solidification pits – three (3) at 25' x 20' x 8' = 29,920 gallons each

I. Types of Solid Waste to be Processed

Only non-hazardous waste and materials will be accepted at the facility. All non-hazardous waste streams and materials will be approved through the Waste Certification Process prior to acceptance at the facility. The facility will not process hazardous, radioactive, regulated PCBs, medical waste, or friable asbestos.

Industrial waste will not include any food wastes generated at the facility as those items will be picked up and delivered directly to an MSWLF along with other materials that are considered trash. The only organics (besides oil) that will be processed are small quantities of pet food waste that will be processed for waste to energy purposes within a 24-hour turnaround.

m. Expected Waste Volumes and Measurement

This site anticipates receiving up to an estimated 300 tons per day, or approximately 156 cubic yards per day of non-hazardous solid material. Since the density will vary for this material, the cubic yard estimate was determined using the following formula:

$$(150 \text{ tons} / 2.12 \text{ yds}^3/\text{ton}) + (150 \text{ tons} / 1.75 \text{ yds}^3/\text{ton}) = 156 \text{ yds}^3$$

Additionally, the site anticipates receiving up to an estimated 100,000 gallons of non-hazardous wastewater per day.

After the facility is completed with all processing units, and those units are fully utilized, the potential volume of materials being stored at facility would be as follows:

- Centralized wastewater treatment system and evaporation tanks: 126,000 gallons
- Solidification storage pits: 89,760 gal

Incoming materials will be measured using an on-site scale. The scale will be tested and certified annually in accordance with requirements of the Oklahoma Department of Agriculture, Food, and Forestry.

n. Waste Certification Process

To ensure all materials accepted for treatment or other Processing at the MPF facility are properly managed in accordance with all local, state and federal regulations, the waste generator must complete a *Waste Profile Form* that includes a signed certification that the waste is not a hazardous

waste and does not contain any hazardous wastes as a component of the waste stream. If it is determined the waste stream is acceptable, it is assigned a unique waste stream identification number. The Waste Exclusion Plan (**Attachment P**) describes the Waste Profile Form (**Attachment Q**) as being part of the evaluation waste evaluation process.

The *Waste Profile Form* provides the following information:

- Generator information
- Process description of waste source
- Physical data about the waste
- Chemical composition of the waste
- Waste Pollutant analysis
- Used Oil Warranty (if the waste is defined as a "Used Oil" or contains "Used Oil")
- Warranty Statement

- Generator Certification that no hazardous waste is contained in the waste stream

The Material Management Plan is included in **Appendix R**. In the event the WEP conditions change, an amended WEP will be submitted to the ODEQ for approval within 30 days of the change.

o. Waste Screening Process

Materials delivered to the facility for treatment or other Processing must first be approved through the Waste Profile Approval Process (See Waste Exclusion Plan). Specifically, upon arrival at the facility a waste is screened by Senior personnel to assure the waste has been pre-approved and that the appearance and other characteristics meet the profile of the waste. A sample of liquid wastes will be analyzed for pH and flashpoint. Solid and Semi-solid wastes will also be subjected to a screening process, and if a product exhibits a hazardous waste characteristic it will be rejected. If it doesn't meet the Waste Certification, further inquiry and/or information will be obtained from the waste generator and waste determined if it is acceptable.

p. Bulky Waste

Bulky waste or other materials unsuitable for processing by the facility Processes will not be accepted and rejected during the waste screening process prior to off-loading at the facility.

q. Waste Disposal

The list below details the current options for final disposal/recycling/EfW for the non-hazardous end-products produced. Those options include both specific facilities as well as general types of disposal options that will be utilized for final disposal.

Facility Process	Final Disposal/Recycling/EfW Facility
Centralized Wastewater Treatment	City of Tulsa Southside Wastewater Treatment Facility 5300 S Elwood Ave, Tulsa, OK 74107 Phone: 918.591.4440
Used Oil Processing	Final disposition of recyclable materials will be based on market value
Solidification	Final disposition will go either a waste-to-energy plant or to a permitted landfill.
Shredding Operation	Final disposition will go either a waste-to-energy plant or to a permitted landfill.
Energy from Waste Blending/Bulking (EfW)	Permitted Waste-to-Energy facility (e.g., Covanta)
Evaporator residues	Final disposition will go either a waste-to-energy plant or to a permitted landfill.

r. Contingency Plan

In the event of an emergency or unplanned shutdown that prohibits the Processing of waste, all incoming waste will be directed to an alternate facility or one of the solidification facilities listed above. All customers will be notified by telephone and assistance will be provided to reroute waste to an alternate facility. During a shutdown period all equipment will be shut down and will remain de-energized. Process areas will be inspected and maintained until operations can be re-started.

s. Control Procedures

Noise: All treatment and processing operations are performed within the building. Any noise caused by the operating equipment will be contained within the building or located such that noise will be mitigated

Vectors: If necessary, vector control will be provided by the facility employees. The control Process will involve the application of sprays and placement of traps throughout the facility.

Litter: All treatment and Processing operations are performed within the building or under the covered area on the east side. The solidification basins are maintained with appropriate moisture to prevent litter from blowing. Litter is not expected to be an issue with the operation, but the site will be inspected and cleaned of any litter on a minimum of a weekly basis.

Air Emissions: ~~There are no emission sources associated with the operation so an air permit will not be required.~~ The only potential source of air emissions from equipment will be the wastewater evaporator which was evaluated and determined to not require permitting. Minor levels of fugitive dust will be generated during some processing operations but will be vented to atmosphere. Clean up of accumulated dust will be included in the facility housekeeping plan. In addition, most all areas used for mobile traffic will be gravel with paved.

t. Spills

All waste unloading, storage and Processing will be completed within the building or within covered containment areas outside the building. Any spilled material within or outside the Process Building will be immediately cleaned up and all spilled material will be properly managed.

All personnel are properly trained to minimize the risk of a spill and are trained on the proper clean up procedures when an unexpected release occurs. Spill clean-up kits contained within yellow drums labeled "Spill Clean-Up Kit" will be located throughout the facility. These kits will contain a variety of spill clean-up materials, such as absorbent pads and booms.

A Spill Prevention, Control and Countermeasure Plan (SPCC) will be prepared that covers all oil storage tanks to meet the requirements of US EPA 40 CFR 112.3. The purpose of the plan is to identify measures to be taken in the event of a spill to ensure oil releases do not reach navigable waters. It will identify operating procedures to prevent oil spills, control measures to be used to prevent a release from reaching a navigable water and countermeasures that will be utilized to mitigate the effects of an oil spill that impacts navigable waters.

u. Fire Protection

The building will be equipped with a fire sprinkler system suitable for the building's occupancy and use. CO₂ fire extinguishers are located throughout the facility and visibly marked for easy access by all employees. A large rollable CO₂ fire suppression tank is located in the solidification area for use if there was an unlikely fire in the solidification containers.

v. Daily Cleanup Procedures

All areas of the facility will be cleaned daily. Clean up activities include sweeping, picking up any garbage and misplaced tools and/or supplies, and collecting and storing any accumulated water.

w. Sanitary Facilities

Restroom facilities will be provided inside the facility which are plumbed into the Tulsa POTW sanitary sewer system.

x. Operating Hours

When fully operational, the facility will employ between 10 and 15 people and operate 6 days per week 24 hours/day. Incoming materials for processing will be primarily received during the day shift on a Monday-Friday schedule. The evening and night shifts will primarily conduct processing and prepare outbound loads for the following morning. Actual hours of operation have not been determined but will be established based on need and business opportunities.

y. Emergency Response Plan

An Emergency Response Plan will be maintained on site and will be easily accessible to all employees and visitors to the facility. The plan will specify

the procedures to follow in sudden unexpected situations, such as a fire, spills or weather-related emergencies. The plan will assign roles and responsibilities for implementation of the plan during an emergency. Annual training will provide and/or remind all employees of the plan's requirements.

z. Employee Training

Employee training will include, but is not limited to, the following:

1. Facility Emergency Response Procedures
2. SPCC Plan requirements
3. Waste Certification Process
4. Hazard Communication
5. Confined Space Entry
6. Respiratory Protection
7. Exposure Control
8. Lock Out/Tag Out
9. Personal Protective Equipment
10. Security Site Safety
11. Fire Prevention and Protection
12. WEP and NHIW Training

aa. Safety Procedures

Personal Protective Equipment	All personal working within the facility process areas will wear safety glasses, steel toed boots, nitrile or regular work gloves and laundered uniforms. Hearing protection, respiratory protection and confined space entry equipment are used when necessary.
Decontamination	Emergency showers and eye wash stations will be present at strategic locations. Equipment decontamination will be performed through the facility housekeeping and maintenance program.
Communication	All employees are equipped with communication gear including earpiece and microphone to communicate with all other personnel. Cellphone use will only be allowed within the breakroom areas. An after-hours call service will also be utilized during non-operating hours.
First Aid Equipment	First aid kits will be located in the breakroom area and in the onsite laboratory.
Fire-fighting Equipment	Fire extinguishers will be located at strategic locations throughout the facility.
Access Control - fence	The property will be fully enclosed with a 6-foot chain link fence with three strands of barbed wire on top. The only access into the facility is through two driveway gates, which are open only as needed to allow passage of traffic.
Access Control - video	A video surveillance system will be installed with cameras located inside and outside of the building. The system will have 24-hour recording capabilities. The entrance gate and all doors to the facility will be locked during non-operating hours.
Employee Shelter	In the event of inclement weather employees will shelter in the restrooms.

bb. Facility Records

All facility records will be maintained electronically and include tracking of all waste loads from the time it is received to its final destination. Records will include all processing performed on the waste materials, and the date and final disposition of the waste materials. All records shall be maintained at the site and/or the owner's office until final closure has been approved by the DEQ.

The follow are examples of the types of information entered and preserved within the electronic recordkeeping system:

- All loads received including date, generator, manifest number, waste profile number, gallons, and treatment documentation
- Waste screening results
- All Generator's Waste Certification Statements along with analytical test results
- Basis or characterization of all facility "products" to indicate whether classified as hazardous or non-hazardous, and the final disposition of those materials.
- Inventory of treatment chemicals

Assessor

JOHN A. WRIGHT

Property Search

Disclaimer

The Tulsa County Assessor's Office has made every effort to insure the accuracy of the data contained on this web site; however, this material may be slightly dated which could have an impact on its accuracy.

The information must be accepted and used by the recipient with the understanding that the data was developed and collected only for the purpose of establishing fair cash (market) value for ad valorem taxation. Although changes may be made periodically to the tax laws, administrative rules and similar directives, these changes may not always be incorporated in the material on this web site.

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Quick Facts

Account # R99223922320580
Parcel # 99223-92-23-20580
Situs address 555 W 41 ST S TULSA 74107
Owner name MILLER INVESTMENTS & PROPERTIES LLC
Fair cash (market) value \$1,905,300
Last year's taxes \$27,302
 Subdivision: UNPLATTED
Legal description Legal: BEG 24.75N & 541.80W SECR SE TH N760.29 W117.95 SW229.61 S726.74 E345.21 POB SEC 23 19 12 5.942ACS
 Section: 23 Township: 19 Range: 12



99223-92-23-20580 (8/2018)

General Information

Situs address 555 W 41 ST S TULSA 74107
Owner name MILLER INVESTMENTS & PROPERTIES LLC
Owner mailing address PO BOX 665
 STROUD, OK 740790665
Land area 5.94 acres / 258,829 sq ft
Tax rate T-1A [TULSA]
 Subdivision: UNPLATTED
Legal description Legal: BEG 24.75N & 541.80W SECR SE TH N760.29 W117.95 SW229.61 S726.74 E345.21 POB SEC 23 19 12 5.942ACS
 Section: 23 Township: 19 Range: 12
Zoning MODERATE INDUSTRIAL DISTRICT [IM]

Tax Information

	2019	2020	2021
Fair cash (market) value	\$1,905,300	\$1,905,300	\$1,905,300
Total taxable value (capped)	\$1,905,300	\$1,905,300	\$1,905,300
Assessment ratio	11%	11%	11%
Gross assessed value	\$209,583	\$209,583	\$209,583
Exemptions	\$0	\$0	\$0
Net assessed value	\$209,583	\$209,583	\$209,583
Tax rate	T-1A [TULSA]		
Tax rate mills	137.02	130.27	130.27*
Estimated taxes	\$28,717	\$27,302	\$27,302*
Most recent NOV	March 5, 2019		

* Estimated from 2020 millage rates

Tax detail (2020 millages)

	%	Mills	Dollars
City-County Health	2.0	2.58	\$540.72
City-County Library	4.1	5.32	\$1,114.98
Tulsa Technology Center	10.2	13.33	\$2,793.74
Emergency Medical Service	0.0	0.00	\$0.00
Tulsa Community College	5.5	7.21	\$1,511.09
School Locally Voted	21.1	27.50	\$5,763.53
City Sinking	13.6	17.78	\$3,726.39
School County Wide Bldg	4.0	5.15	\$1,079.35
School County Wide ADA	3.1	4.00	\$838.33
School County Wide General	27.7	36.05	\$7,555.47
County Government	8.7	11.35	\$2,378.77

Values

	2019	2020	2021
Land value	\$517,700	\$517,700	\$517,700
Improvements value	\$1,387,600	\$1,387,600	\$1,387,600
Fair cash (market) value	\$1,905,300	\$1,905,300	\$1,905,300

Exemptions claimed

	2019	2020	2021
Homestead	—	—	—
Additional homestead	—	—	—
Senior Valuation Limitation	—	—	—
Veteran	—	—	—

Bldg ID#	Property type	Use	Year built	Year remodeled	GBA †	NRA †	Stories	Story height
1	Commercial	Indust Lght Manufacturing	1991	—	63,450 SF	63,450 SF	2.0	24.9

Date	Grantor	Grantee	Price	Doc type	Book-Page/Doc#
Aug 8, 2018	ROSA REAL ESTATE LLC	MILLER INVESTMENTS & PROPERTIES LLC	\$2,350,000*	Special Warranty Deed	2018072696
Mar 29, 2018	FINTUBE, LLC	ROSA & UNIS LLC	\$4,800,000*	Special Warranty Deed	2018027178
Mar 27, 2018	ROSA & UNIS LLC	ROSA REAL ESTATE LLC	\$—*	Special Warranty Deed	2018027179
Sep 1, 2010	FINTUBE TECHNOLOGIES, INC	FINTUBE, LLC	\$4,655,000*	Special Warranty Deed	2010077995
Jul 30, 2007	FINTUBE TECHNOLOGIES INC	FLEMING BUILDING CO INC	\$150,000	General Warranty Deed	2007085714
Jan 1, 2000			\$2,250,000*	General Warranty Deed	06313-00028
Apr 1, 1997	RED MAN PIPE & SUPPLY CO	FINTUBE PROPERTIES LLC	\$1,640,000	Special Warranty Deed	05900-00551
Oct 1, 1996	SAMMONS REALTY CORP	RED MAN PIPE & SUPPLY CO	\$1,550,000	Special Warranty Deed	05849-02036

* Multiple parcel sale



† Square footage and acreage values included in this record are approximations. They may not reflect what a licensed surveyor would determine by performing a formal survey. They are for tax purposes only and are not intended for use in making conveyances or for preparing legal descriptions of properties.



[Click to view this area on the Google Maps web page in a new window](#)

John A. Wright — Tulsa County Assessor

Tulsa County Headquarters, 5th floor | 218 W Sixth St | Tulsa, OK 74119

Phone: (918) 596-5100 | Fax: (918) 596-4799 | Email: assessor@tulsacounty.org

Office hours: 8:00–5:00 Monday–Friday (excluding holidays)

Waste Exclusion Plan

Material Processing Facility

Version 0 - February 2019



Table of Contents

Overview	2
Waste Profiling	2
Waste Receiving	2
Sampling Procedures.....	3
Characteristics Screening Sampling.....	3
Waste Screening Sampling	4
Sample Screening Test Methods	4
Material Acceptance/Rejection Process	5
Rejection of Unacceptable Wastes.....	5
Training.....	6

APPENDICES

- A Excluded Wastes
- B Waste Profile Form
- C Waste Profile Approval Flowchart

WASTE EXCLUSION PLAN

Overview

This Waste Exclusion Plan ("WEP") will be implemented at the Material Processing Facility (MPF) to identify and prevent prohibited wastes from being Processed at the Facility and was prepared in conformance with the Oklahoma Solid Waste regulations at OAC 252:515-29. Excluded wastes will not be accepted at the facility due to either regulatory, operational or other environmental reasons.

The MPF will receive and Process non-hazardous industrial waste and commercial non-hazardous waste materials. Waste streams considered for facility Processing will undergo an approval Process prior to acceptance, while individual waste deliveries will undergo an inspection and approval Process before being allowed to off-load to the facility Process area. A flow diagram of the inspection and acceptance procedures is attached.

Waste Profiling

Material Approval Process

All waste streams proposed for Processing at the facility by the Generator will be evaluated and characterized to assure acceptability by use of a *Waste Profile Form*. The form information will be completed and certified as accurate by signature of the Waste Generator and be used to determine if the proposed waste stream meets the MPF acceptance criteria.

When a waste stream is approved, a *Waste Approval Form* will be completed by MPF, and the waste stream will be assigned a unique *Waste Identification Number*.

Proposed waste materials determined to not be acceptable, a *Waste Rejection Form* will be completed, which is attached to the *Waste Profile Form* and retained in the MPF records.

Waste Receiving

1. *Waste Measurement*: Incoming waste trucks/deliveries will be weighed and recorded prior to going through the Waste Acceptance Process. The net weight will be determined by subtracting the truck's empty weight, if known, or measured following off-loading. Calibrated scales will be utilized that are located near the facility entrance/exit road.
2. *Manifest*: Waste materials delivered to the facility will initially be checked for having a complete, accurate and acceptable *Manifest* that accompanies each waste stream being delivered. If a manifest does not meet the acceptance standard, the waste stream(s) for that manifest will not be allowed to off-load until an acceptable manifest information has been provided.
3. *Waste Approval Form*: Waste materials with acceptable Manifests will be further screened to determine if the waste(s) has been issued a *Waste Approval Form* and assigned a *Waste Identification Number*. Any waste materials not completing this pre-screening Process will not be allowed to be off-load until the Process is completed and approved, or otherwise will be rejected and not be allowed to off-load.

4. *Characteristics Screening*: All incoming materials will undergo a visual screening to determine if they meet the expected quality and the material description in the manifest and the *Waste Profile Form*. In addition, samples will be checked as needed for general characteristics such as pH, specific gravity, color, clarity, etc. Materials that are questionable or fail to meet the inspection criteria will not be allowed to off-load until all questions are resolved and all criteria have been met.
5. *Sample Screening*: Incoming waste loads will also be subject to random sample screening Process. The purpose of the sample screening will be to verify the delivered materials meet the waste characteristics used to approve the *Waste Profile Form*. Containerized waste materials being screened will be unloaded into a designated holding area isolated from the materials to be processed and remain there until all required testing has been completed and test results known. If the sample screening results show the waste materials meet the conditions contained in the *Waste Profile Form* the materials will be moved to the processing area and processed. Any wastes found to be questionable will be held until resolved or returned to the generator as determined appropriate not to exceed one week from notification of the sample results.

Facility personnel responsible for conducting the sample screening inspections will meet and follow all of the following requirements:

- Be familiar with the Waste Stream Approval Process.
- Be familiar with the waste stream being sampled and its characteristics and basis for acceptance.
- Review and verify all waste *Manifest* are complete and accurate.
- Visually inspect received waste for any discrepancies.
- Be familiar with the proper sampling technique, sample storage and the parameters for measurement associated with the waste stream.
- Conduct proper sampling of the waste material(s).
- Complete proper storage of the sample.
- Complete a Chain-of-Custody (COC) and deliver the sample(s) and COC to the laboratory in a timely manner.

Sampling Procedures

Sample screening of materials will be based on the type of delivery system utilized, and conducted either with either of two approaches, for general or chemical-specific characteristics.

Characteristics Screening Sampling

Bulk Liquid Screening

Liquid materials being delivered in tanker trucks will be sampled using a Coliwasa sampling device. The sample will be evaluated to determine if the material is consistent with its approved Waste Profile Form for general characteristics such as color, odor, pH, % oil, etc.). Waste streams that pass the pre-screening evaluation will be accepted and off-loaded, unless the waste has been designated for sample screening as well. Waste streams that do not pass the pre-screening evaluation will not be off-loaded unless all identified issues are resolved. Waste streams not passing the pre-screening evaluation will be rejected.

Containerized Materials Screening

Containerized materials will be screened prior to off-loading. A minimum of 10% of each waste stream's containers will be evaluated to determine if the material is consistent with its approved Waste Profile Form for general characteristics such as color, odor, pH, % oil, etc.). Waste streams that pass the pre-screening evaluation and are accompanied by a properly completed and acceptable manifest will be off-loaded for Processing, unless the sample(s) have been designated for sample screening as well. Waste streams that do not pass the pre-screening evaluation will be rejected.

Non-containerized Materials Screening

Non-containerized materials will be visually screened prior to off-loading. Waste streams that pass the pre-screening evaluation and are accompanied by a properly completed and acceptable manifest will be off-loaded for Processing, unless the wastes have been designated for sample screening as well. Waste streams that do not pass the pre-screening evaluation will be rejected.

Waste Screening Sampling

The following sample procedures will be followed for identified waste delivery methods:

- 1) Bulk liquid samples will have a representative sample of at least 150 mL. The sample will be retained for a minimum of 90 days after delivery to the laboratory.
- 2) Containerized liquids that are not used oil will have a representative sample of at least 25 mL and not require a retained sample.
- 3) Containerized waste solids will be visually inspected and not require a retained sample.
- 4) Containerized used oily wastewater will have a representative sample of at least 15 mL retained for a period of no less than 60 days from the day of receipt.
- 5) For delivered containers, methods found in Appendix E of EPA/ 530-SW-46- 012, "Waste Analysis Plans: A Guidance Manual," shall be used as a general guideline for sampling technique.

Sample Screening Test Methods

MPF will use specific test methods for all internal testing and fingerprinting:

- 1) For pH determination, either a calibrated electronic pH meter or color test strips will be used for sample screening.
- 2) For flash point testing, Pensky-Martens closed-cup flash point tester (PMA5) under ASTM D93 A+B+C, or a SETA flash tester under ASTM D3278 Rev. 96 will be used.
- 3) For halogen content, EPA SW-846 method 9077 field test kits will be used:

- For $>/< 1000$ ppm determination when water content is less than 20%, a Chlor-D-Test 1000 will be used
- For 0 ppm to 4000 ppm, or >4000 ppm determination when water content is less than 20%, a Chlor-D-Test 4000 will be used. A high-Range Dilution will be performed if necessary
- For samples where water content is higher than 20%, Hydro-Chor Q will be used.

Material Acceptance/Rejection Process

Prohibited Wastes

If incoming materials are identified as a prohibited waste during the sample-screening, the material will be rejected and not off-loaded and the Generator (or Authorized Representative) notified. If all issues are resolved the materials will be off-loaded, and if not, the material will be rejected and returned to the Generator and/or another designated location as directed by the Generator. Notifications to DEQ will be made for any rejected materials.

If prohibited wastes are discovered by Facility employees in the processing area, the EH&S Coordinator (or designee) will take following steps:

1. Decontamination and/or medical attention/assistance will be immediately provided to Facility personnel who were exposed to the prohibited materials and known to have potential health impacts due to the exposure.
2. The source (Generator) of the prohibited material(s) will be identified.
3. The suspect waste shall be moved to the isolation area.
4. The Plant Supervisor, Facility Manager, or their designee, shall be notified;
5. Facility Management will contact the Waste Hauler and/or the Waste Generator to arrange for transportation and proper management/ destruction of the waste.
6. ODEQ will be notified according to procedures.
7. The EH&S Manager will conduct a review of the screening inspection or screening Processes to determine if modifications of inspection procedures are warranted.

Rejection of Unacceptable Wastes

Unacceptable waste can be rejected by MPF based on the conclusion that the material might cause interference or negative impacts on the Processing equipment or the facility final products. The waste hauler will be directed to remove the waste from the Facility (if still present), or the Waste Generator (or Authorized Representative) will be contacted to request removal of the materials.

Rejection Process: When the results of the screening inspection indicate that the delivered materials are not acceptable, un-loading of the materials at the Facility will not be allowed with the exception for sample screening testing (described above) and the following procedures will be implemented:

1. The DEQ shall be notified before the end of the next working day of any rejected material that contains a prohibited waste stream.
2. Such notification will be sent by email on a form that includes the following:
 - the date of rejection;

- the basis for rejection;
- the name, address, phone number and contact person of the waste generator when such data is readily available; and/or
- the name of the driver, tag number of the delivery vehicle, the company providing delivery services including the company's address, telephone number and contact person when such data can be obtained.

Acceptance Process: When the manifest review and the screening inspection has been completed and found to be acceptable, the materials will be off-loaded to await Processing. A receipt of material acceptance and off-loading to the facility will be provided to the material delivery person.

Management of Site Generated Residues

Site generated wastes, such as the residues from the wastewater evaporator, will be collected and stored temporarily. A representative sample will be taken for a hazardous waste determination based on the waste profiles of NHIW wastewaters received for processing at the facility. Once results are obtained the materials will be processed as NHIW waste to the waste to energy or landfill facility depending on the customer's requirements. Once a particular incoming waste's residues have been tested several times, this will only be conducted on an annual basis.

Training

Initial Training: All Facility personnel whose job functions involve receipt of wastes must undergo a minimum of eight (8) hours of initial training. Personnel who have not completed the initial training can assist with waste receipt operations, but only while under the direct supervision of a properly trained and experienced waste receipt operator. Initial training will focus on the following areas:

- federal and state waste regulations
- materials excluded from receipt
- SOPs for conducting screening of incoming materials to identify excluded wastes
- SOPs for managing excluded wastes

Refresher Training: All personnel who have completed the Initial Training must undergo a minimum of four (4) hours annual calendar-year refresher training starting the year after initial training. The refresher training will include a summary of the curriculum stated above, and review of any changes made to the WEP or SOPs. Documentation of refresher training will also be maintained, as specified in Section 8.0 (Recordkeeping and Reporting).

Training Staff: All training will be conducted by senior Facility waste receipt staff with assistance from outside contractors as needed.

Training Records: All records of training of staff personnel will be retained in the Employee files located at the facility.

Appendix A

Excluded Wastes

Definitions

Prohibited wastes are defined in OAC 252:515-19-31 and include: hazardous, radioactive, regulated PCB waste, regulated medical waste, certain non-hazardous industrial wastes (NHIW) and asbestos;

Hazardous waste means those wastes as defined in 40 CFR Part 261;

Regulated medical waste refers to wastes defined in OAC 252:515-1-2;

Certain Non-Hazardous Wastes deemed by ODEQ as ineligible for disposal at the Facility based on permit requirements and/or applicable law;

Non- Processible waste refers to waste which the Facility determines is unacceptable for Processing primary due to operational constraints and Processing restrictions;

Unacceptable waste refers to waste that MPF designates as being inappropriate for processing based on the facility's conclusion the materials will potentially negatively impact operations and/or processing.

There are several types of wastes that are excluded from processing at the MPF and will not be allowed to be off-loaded. These include:

1. *Prohibited waste* as defined at OAC 252:515-19-31. The current list of prohibited waste includes the following:
 - Hazardous waste listed in 40 CFR Part 261
 - Solid waste that are hazardous by characteristic in 40 CFR Part 261 including:
 - Toxic
 - Ignitable
 - Corrosive
 - Flash point under 140°F
 - Regulated medical waste as defined in OAC 252:515-1-2
 - Radioactive waste
 - Regulated PCB waste, except waste with less than 50 ppm that is treated only for solidification.
 - Friable asbestos waste materials (ACM)
2. *Unacceptable waste* refers to waste that the MPF has determined could have potential negative impacts on processing operations or product quality, and generally includes the following:
 - Putrescible wastes (except specific pre-approved wastestreams)
 - Sanitary wastes
 - Wastes that interfere with waste processing
 - Wastes that might cause processed materials (i.e., products) to be unacceptable to the receiving facility

LEASE AGREEMENT

This lease is effective and made on the 1st day of Dec 2018 by and between Miller Investments & Properties and Investments, LLC an Oklahoma limited liability company (the "Lessor") and Miller Environmental Transfer, LLC an Oklahoma Corporation, with the address of 4231 S Elwood Ave, Tulsa OK 74107

Witnesseth, that in consideration of the mutual promises and covenants made herein, the parties do hereby agree as follows:

1. **AGREEMENT TO LEASE:** Provided that the Lessee shall comply with the terms of this agreement, Lessor does hereby lease and release unto the Lessee the Leased Premises (as described in Section 2 below) for and during the term mentioned herein. Lessor certifies and warrants that it is the true and lawful owner of fee interest in the Leased Premises (as described in Section 2 below) and therefore entitled to enter into this lease.
2. **DESCRIPTION OF PREMISES:** The premises bear the address of 3800 S Elwood Ave, Tulsa, OK. 74107 (the "Leased Premises"). The Leased premises shall be used solely for Lessee's application for a Tier 3 Solid Waste Disposal site per OKDEQ requirements. Lessee and Lessor shall have use and access of the Leased Premises.
3. **TERM:** The "Term" for this lease shall commence on Dec 1st, 2018 and ends on Dec 31st, 2028 or at such earlier time as herein provided.
4. **EARLY TERMINATION:** The lease may be terminated at any time by either party (i) upon ninety (90) days prior written notice to the non-terminating party, or (ii) upon a default by the other party as provided herein.
5. **RENT:** Lessee shall pay a monthly lease rent of Seven Thousand five hundred and no/100 Dollars (\$7,5000.00) ("Rent") to Lessor. Rent shall be due on the first (1st) day of each calendar month. If any monthly payment is not received by Lessor within five (5) business days after Lessee's receipt of prior written notice of non-payment from Lessor, a ten (10%) late charge shall be added to the monthly Rent due to Lessor. If Rent remains unpaid for a period of fifteen (15) days, the Lessee shall be considered in default and the Lessor may elect its remedies hereunder. Rent for any partial month shall be prorated. The parties agree and acknowledge that Lessee commenced its use of the Leased Premises on Dec 1st, 2018.
6. **RIGHT TO RENEW:** At the end of the Term, Lessee may exercise its right to extend the lease for an additional 1 year. Lessee may exercise its right to extend the lease by providing prior written notice to Lessor thirty (30) days prior to the end of the current term. This lease shall govern the right and obligations of the parties during any extended terms unless specifically modified in writing by both parties. In the event Lessee does not provide prior written notice to Lessor of its intent to exercise its right to extend the lease and Lessee remains in possession of the Leased Premises, Lessee shall be deemed to be occupying the Leased Premises as a month-to-month tenant, and shall continue to be liable for the rent that is applicable on the last day of the term of the lease until such time as Lessee vacates the Leased Premises.

7. ALTERNATION: The Lessee shall not make any alterations to the exterior or interior of any improvements located on the Leased Premises without the written consent of the Lessor, which consent shall not be unreasonably withheld, conditioned or delayed. Any Lessor-approved alterations and to any improvements located on the Leased Premises by the Lessee during the Term, shall be forfeited at the end of the lease and shall become the property of the Lessor, provided that trade fixtures shall continue to be the sole property of Lessee. Lessee shall repair, without expense to the Lessor, all breakage of glass and all other damage to the Leased Premises, including overhead doors, except for normal wear and tear and those damages that occur as a result or arise out of Lessor's actions or negligence. As appropriate, the Lessee, at its sole expense, may install fencing and gates to meet its business needs.
8. QUIET ENJOYMENT: The Lessee shall be entitled to the use of the Leased Premises for and during the Term of the Lease. The Lessor shall have the right to inspect the Leased Premises at reasonable times.
9. DESTRUCTION BY FIRE OR CASUALTY: If fire or other casualty destroys all of the Leased Premises, then this lease shall automatically terminate. If part of the Leased Premises is destroyed by fire or other casualty, then the Lessor shall have the right to repair the Leased Premises over a reasonable time and the Rent shall be abated in a proportionate amount to the degree of damage done and to the extent that Lessee is able to continue its use of the Leased Premises as provided for in this lease. In the alternative, the Lessor may choose not to make the necessary repairs, in which case the lease shall be terminated without liability to either party.
10. INDEMNITY AND HOLD-HARMLESS: The Lessee and Lessor shall be responsible for each of their actions and the actions of all of their respective agents, heirs, assigns, and invitees to the Leased Premises. By execution hereof, Lessee agrees to indemnify and hold harmless the Lessor, its heirs and assigns from liability arising out of the grossly negligent acts or willful misconduct of Lessee in connection to its use of the Leased Premises, a violation of any law by Lessee in connection to its use of the Leased Premises, or a violation or breach of any provision of this lease by Tenant.
11. INSURANCE Lessee shall maintain insurance for all personal property located within the Leased Premises as well as general liability policy in the amount of One Million Dollars (\$1,000,000.00) with Lessor as an additional insured.
12. SUBLEASE: The Lessee shall not sublease the Leased Premises or assign this lease or any portion thereof without the written consent of the Lessor, which consent shall be not unreasonably withheld, conditioned, or delayed.
13. MAINTENANCE: Lessee shall keep the Leased Premises free and clear of all rubbish and trash and shall return the Leased Premises in broom-clean condition at the end of the Term.
14. UTILITIES: Any and all associated utilities shall be the responsibility of the Lessee.

15. NOTICES AND REMITTANCE: Until a change of address is communicated, rent shall be provided to Lessor at:

Miller Investments & Properties, LLC

P O Box 665 (105 N 8th Ave)

Stroud, Ok 74079

Written notices to Lessee shall be provided to the address specified on the first page of this lease.

16. DEFAULT: In the event of a default, the non-defaulting party may terminate this lease, as its sole and exclusive remedy, by providing fifteen (15) days notice to the defaulting party.
17. TAXES: Lessor shall pay all applicable real property taxes when due and payable
18. MODIFICATION: No modification or amendment of this lease shall be effective unless in writing and signed by both parties.
19. SUCCESSORS AND ASSIGNS: This lease shall be binding upon and inure to the benefit of the respective successors and assigns of the parties hereto.
20. COUNTERPARTS AND FACSIMILE SIGNATURE: This lease may be executed in any number of counterparts, each of which shall be deemed an original and all of which when taken together shall constitute one instrument, and by facsimile signature, which shall be deemed original signatures of the parties hereto.
21. ATTORNEY'S FEES: If legal action is instituted in connection to this lease, the losing party shall reimburse the prevailing party for its reasonable attorney's fees and other litigations-related costs as determined by the court in which such action is prosecuted.
22. ENTIRE AGREEMENT: This lease constitutes the sole understanding and entire agreement of the parties hereto.

IN WITNESS WHEREOF, we set our hands on the date aforesaid.

LESSOR:

MILLER INVESTMENTS & PROPERTIES, LLC,
An Oklahoma limited Liability Company

BY: Bobby D. Miller
Name: Bobby D. Miller

LESSEE:

Miller Environmental Transfer, LLC
an Oklahoma corporation

BY: [Signature]
Name: Iodd Roy, President

Description of Leased Premises

Tract A

A TRACT OF LAND THAT IS PART OF THE SOUTHEAST QUARTER (SE/4) OF THE SOUTHEAST QUARTER (SE/4), OF SECTION TWENTY-THREE (23), TOWNSHIP NINETEEN (19) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER (SE/4) OF SAID SECTION TWENTY-THREE (23); THENCE NORTH 00°00'00" EAST, ALONG THE EASTERLY LINE OF SAID SE/4, FOR 24.75 FEET; THENCE NORTH 89°35'49" WEST, PARALLEL TO THE SOUTHERLY LINE OF SAID SE/4, FOR 541.80 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND; THENCE CONTINUING NORTH 89°35'49" WEST 345.21 FEET; THENCE NORTH 00°00'00" EAST FOR 789.61 FEET; THENCE NORTH 72°40'00" EAST FOR 93.61 FEET TO A POINT OF CURVE; THENCE ON A CURVE TO THE RIGHT WITH A RADIUS OF 575.54 FEET, A CENTRAL ANGLE OF 13°59'08", A CHORD BEARING OF NORTH 79°39'34" EAST, A CHORD DISTANCE OF 140.14 FEET FOR AN ARC LENGTH OF 140.49 FEET; THENCE SOUTH 00°00'00" EAST FOR 33.11 FEET; THENCE SOUTH 89°31'12" EAST FOR 117.98 FEET; THENCE SOUTH 00°00'00" EAST FOR 810.98 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND.

TRACT OF LAND CONTAINING 282,507 SQ. FT. OR 6.49 ACRES MORE OR LESS.

Tract B (existing in current permit)

LEGAL: BEGINNING W 24.75' OF NEC, SE/4, SE/4 THENCE W 1291.30' THENCE S 72.11' THENCE SW 12.13; THENCE S 473.42' THENCE SE 272.45' THENCE NELY ON CURVE 407.53' THENCE NE 213.30' THENCE ELY ON CURVE 140.49' THENCE NE 213.30' THENCE E 635' THENCE N 100' TO POB, AND AREA OF 10.21 AC MOL, AND ALL LOCATED IN SECTION: 23 TOWNSHIP: 19N RANGE: 12E



AMENDED TEMPORARY EASEMENT FOR ACCESS

This Amended Temporary Easement for Access is issued pursuant to the Oklahoma Environmental Quality Code (27A O.S. Section 2-1-101 et seq.), including the Solid Waste Management Act, the rules promulgated thereunder, and in accordance with the conditions and requirements of Permit No. 357060, issued by the Oklahoma Department of Environmental Quality (DEQ) on September 1, 2020 to **MILLER ENVIRONMENTAL TRANSFER, LLC**.

The facility is located on property owned by MILLER INVESTMENTS & PROPERTIES, LLC, hereinafter referred to as Grantor. Grantor does hereby grant unto the DEQ, including its contractors, employees, and its successors and assigns, the right of access to the land described on **EXHIBIT "A"** for purposes of performing closure, post-closure monitoring, or corrective action in the event of default by the owner or operator of the permitted facility.

This easement is granted over and across the permitted area ("Tracts") on land situated in Tulsa County, State of Oklahoma, and described on the attached **EXHIBIT "A,"** and more particularly described as the permitted area of **MILLER ENVIRONMENTAL TRANSFER, LLC**, DEQ Permit Number 3572060 as amended.

This temporary Easement for Access is given subject to the following conditions:

1. The Grantor hereby grants unto the DEQ an easement and right-of-way over and across the Tracts of land described in **EXHIBIT "A"** for access to said Tract for the purposes of conducting closure and post closure activities and/or corrective action as prescribed by the laws of the State of Oklahoma and Rules of the DEQ;
2. This Easement is temporary and shall become null and void upon certification by the DEQ that post closure and/or corrective action has been properly completed; and
3. This Easement shall be binding upon the heirs, successors and assigns of the parties hereto.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand this ____ day of August, 2021.

00-00000MET

MILLER ENVIRONMENTAL TRANSFER, LLC.

By: *Bobby Miller*
BOBBY MILLER, Manager/Member

STATE OF OKLAHOMA)
COUNTY OF Tulsa) SS.

Before me, the undersigned, a Notary Public within and for said County and State, on this 11 day of August, 2021, **BOBBY MILLER**, who personally appeared before me and is known to be the identical person who executed the within and foregoing instrument and acknowledged to me that he executed the same as his free and voluntary act and deed, as Manager/Member for **MILLER ENVIRONMENTAL TRANSFER, LLC.**, for the uses and purposes therein set forth.

WITNESS my hand and official seal the date above written.

My Commission Expires:

Sally Wales

Notary Public

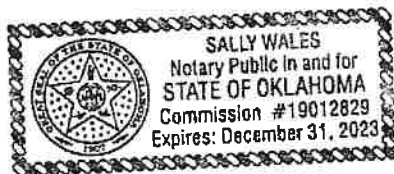


EXHIBIT "A"

Beginning W24.75' of NE Cor, SE/4 SE/4 of SEC 23-T19N-R12E; TH W1291.30'; TH S72.11'; TH SW12.13'; TH S473.42'; TH SE272.45'; TH NELY ON CRV 407.53'; TH NE213.30'; TH ELY ON CRV140.49'; TH N358.39'; TH E635'; TH N100' to POB, containing 10.21 acres.

AND

A TRACT OF LAND THAT IS PART OF THE SOUTHEAST QUARTER (SE/4) OF THE SOUTHEAST QUARTER (SE/4), OF SECTION TWENTY-THREE (23), TOWNSHIP NINETEEN (19) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER (SE/4) OF SAID SECTION TWENTY-THREE (23); THENCE NORTH 00°00'00" EAST, ALONG THE EASTERLY LINE OF SAID SE/4, FOR 24.75 FEET; THENCE NORTH 89°35'49" WEST, PARALLEL TO THE SOUTHERLY LINE OF SAID SE/4, FOR 541.80 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND; THENCE CONTINUING NORTH 89°35'49" WEST 345.21 FEET; THENCE NORTH 00°00'00" EAST FOR 789.61 FEET; THENCE NORTH 72°40'00" EAST FOR 93.61 FEET TO A POINT OF CURVE; THENCE ON A CURVE TO THE RIGHT WITH A RADIUS OF 575.54 FEET, A CENTRAL ANGLE OF 13°59'08", A CHORD BEARING OF NORTH 79°39'34" EAST, A CHORD DISTANCE OF 140.14 FEET FOR AN ARC LENGTH OF 140.49 FEET; THENCE SOUTH 00°00'00" EAST FOR 33.11 FEET; THENCE SOUTH 89°31'12" EAST FOR 117.98 FEET; THENCE SOUTH 00°00'00" EAST FOR 810.98 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND.

TRACT OF LAND CONTAINING 282,507 SQ. FT. OR 6.49 ACRES MORE OR LESS.